

IN THE DISTRICT COURT UNITED STATES
DISTRICT OF MASSACHUSETTS (BOSTON)

ROBERT RODRIGUEZ,
PETITIONER,
vs.,
UNITED STATES OF AMERICA,
RESPONDENT.

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1:04-cv-11869-NMG

MOTION FOR THE COURT TO CLARIFY DOCKET NUMBER 20 DATED 11/16/2007
AND DOCKET ENTRY 12/18/2007

COMES NOW, the Petitioner to move this court for clarification of Docket number 20, 11/16/07 and docket entry dated 12/18/07 the reason is staed within.

(1) The Petitioner Rodriguez filed a motion pursuant to 18 U.S.C. §3582(c)(2) and 28 U.S.C. §994(o). The guideline amendment 706 wherein the sentencing commission made 2D1.1 retroactive.

(2) The Petitioner at this time needs to know if the court terminated the proper 3582(c)(2) motion as the docket asserts in this case. If the court truly terminated the proper 3582(c)(2) motion? The Petitioner respectfully request that the district court place the 3582(c)(2) motion back on the active docket.

(3) If there is a written order pertaining to the 3582(c)(2) filed with the court and a answer from the justice department.

The Petitioner respectfully request copies of both.

Done this 6th day of February 2008 at CI Reeves Correctional Institution, P.O. Box 1560, Pecos, Texas 79772.

Respectfully submitted,

/s/ Robert Rodriguez
Robert Rodriguez
Fed. Reg. No. 80213-038
CI Reeves Corr. Inst.
P.O. Box 1560
Pecos, Texas 79772

CERTIFICATE OF SERVICE

I, Robert Rodriguez, do hereby certify that the original copy of request for status of 18 U.S.C. §3582(c)(2) and 28 U.S.C. §994(o) motion was sent to the Clerk's Office upon the address of John Joseph Moakley, U.S. Courthouse, 1 Courthouse Way, Boston, MA 02210 by U.S. First Class mail this 6th day of February 2008.

/s/ Robert Rodriguez
Robert Rodriguez